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CSCE DIGEST

June-July 1989

CONFERENCE ON THE HUMAN DIMENSION MAY 30-JUNE 23, 1989

The first of three meetings of the Conference on the Human Dimension (known by its French acronym CDH) was held in Paris from May 30 to June 23. Mandated by the Vienna Concluding Document to cover the entire range of humanitarian issues, the CDH includes the Paris meeting, the 1990 Copenhagen meeting, and the 1991 Moscow meeting.

The U.S. delegation to the Paris CDH meeting focused its efforts on improving compliance with existing CSCE commitments. It engaged in a thorough review of human rights performance and stressed the importance of resolving outstanding bilateral human contact cases by July 1989, in accordance with the 6-month deadline agreed to in January at the conclusion of the CSCE Vienna Review Meeting. Co-Chairman Hoyer introduced a U.S. proposal calling for free elections and the establishment of multiple political parties within all of the signatory states.

The U.S. delegation also participated in an in-depth review of the functioning of the human dimension mechanism contained in the Vienna Concluding Document. This mechanism provides for continuing dialogue on human rights between CDH meetings by committing States to respond to bilateral representations and requests for meetings on either individual cases or broader human rights issues. In reaction to the Eastern tendency to respond to the letter but not the spirit of the mechanism, the Western countries expressed their desire to see future use of the mechanism lead to actual improvements in CSCE implementation. In a category of its own is Romania which has refused to accept all requests made through the mechanism, on the grounds that the mechanism constitutes interference in internal affairs. Romania was repeatedly criticized for this, and several delegations pointed out that all CSCE commitments are equally binding on all 35 States and no country can choose "a la carte" those provisions it will abide by and those it will reject.

The Paris meeting was notable for the breaking of the ranks among the Eastern states. Hungary, along with the United States and Austria, co-sponsored a proposal to abolish exit visas, a measure that strikes at the heart of Eastern restrictions on freedom of movement. Hungary also strongly criticized Romania for its treatment of the Hungarian minority, and, in an unprecedented public rebuke of an ally, the Soviet Union joined, albeit mildly, in the widespread criticism of Romania for putting up a barbed wire barrier along its border with Hungary.

Additionally, in the course of the Paris CDH meeting, the U.S. delegation was advised by the Soviet Union that 20 human contact cases and 15 political prisoners from its caselists had been successfully resolved.

On the negative side of the balance sheet, the conference was marred by the Romanian's continuing refusal to accept the legitimacy of the mechanism. By constructing the 188-mile long wall of barbed wire along their Hungarian border, the Romanians showed that not only were they opposed to removing existing barriers among nations, but that they were intent upon erecting new ones as well. As this *Digest* goes to print, it appears that the public outcry over Romania's actions may have been heeded in Bucharest because Hungary has reported that the Romanians have started dismantling the new wall.

If Romanian actions were reminiscent of Khrushchev's in constructing the Berlin Wall, then Bulgaria's brutal treatment of its ethnic Turkish community and the massive forced expulsions reminded the world of Stalin's policy of mass deportations. Although loudly and fervently condemned by many delegations at the Paris CDH meeting, the Bulgarians' actions cast a long shadow over the conference and caused many participants to put the Bulgarian Government on notice that they will not remain silent if the abuse continues during the CSCE specialized meeting on the environment, scheduled to take place in Sofia in October.

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Herewith are excerpts from the Chairman and Co-Chairman's joint statement that was presented at the May 30, 1989 press conference.

As Chairman of the Commission on Security and Cooperation in Europe, I am pleased to be attending this first meeting of the Conference on the Human Dimension (CDH). I am hopeful that Paris will continue to accelerate the human rights progress made during the Vienna meeting. The Vienna Concluding Document represents not only a stronger set of commitments but it gives us a framework with which to find solutions to the stumbling blocks of the past.

We are already seeing signs of greater compliance by some participating states. The Helsinki process for some states, such as Poland, has come to mean avenues for the uninhibited expression of views and the chance for Polish citizens to give greater direction to the manner in which they are governed. Hungary has indicated a desire to follow this path as well, her people enjoy freedom of movement and expression in ever-widening parameters. However, while the progress in these two

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Chairman DeConcini conducts a bilateral meeting on May 29, 1989 with Ambassador Nikola Cicanovic, the head of the Yugoslav delegation to the Paris Meeting of the Conference on the Human Dimension (CDH). Seated at the tables, from left to right are: Ambassador Samuel Wise, staff director of the Commission; Ambassador Cicanovic; Senator DeConcini; and Ambassador Morris Abram, head of the U.S. delegation to the Paris CDH meeting.

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(Conference on Human Dimension—continued)

The Commission played a key role in the U.S. delegation, which contained several Commission staff members. In addition, Chairman DeConcini attended the May 30 opening meeting of the conference, and while in Paris he conducted bilateral meetings with the Yugoslav and Soviet heads of delegation. The Chairman also held a press conference on May 30 at which he stressed the importance of focusing the CDH meeting on a thorough review of compliance during the period since the signing of the Vienna Concluding Document, and he hosted a reception for non-governmental organizations which was also attended by many delegates.

From June 16 to 19, Co-Chairman Hoyer led a congressional delegation to the Paris meeting where he addressed a plenary session on June 10. The Co-Chairman and other members of the codel, Representatives Ben Cardin and Dennis Eckart, held bilateral discussions with heads of the Czechoslovak and Turkish delegations to the conference and also met with members of the United States delegation and a group of Soviet Jewish activists. The Soviet Jews were allowed to travel from Moscow to Paris after many delegations, including the U.S., protested the initial reluctance of Soviet authorities to permit them to attend the Paris meeting.

(May 30 press statement—continued)

countries is encouraging, it is still far from the level of human rights standards in many other CSCE countries.

"The German Democratic Republic has let record numbers of its citizens travel, while continuing to shoot at those who attempt to leave by way of the Berlin Wall."

In the Soviet Union, we are seeing releases of hundreds of political prisoners and exit visas for tens of thousands who wish to exercise their right to emigrate. Is this an indication that the Soviet leadership will abolish exit visas altogether? We are also seeing increasing Soviet compliance with the right to association and expression and the ability to profess the religion of one's choice. Regrettably, the illegal and prolonged detention of the Karabakh Committee, as well as many other Soviet citizens in other parts of the USSR, conflicts with the hope that *glasnost* will mean an expansion of freedom rather than new limitations on it. Initial efforts at institutional reform in the Soviet Union have produced few positive results thus far. It is to be hoped that recent popular elections and the work of a newly structured Supreme Soviet may prove these troubling signs to be without basis.

Unfortunately, there are some CSCE states who are less willing to test the waters of freedom. Although Bulgaria is to be commended for its new emigration legislation which, if put into practice, will be a definite step forward, it persists in denying an entire minority the right to its ethnic heritage and cultural identity. Recent news of demonstrations by ethnic Turks in the Shumen region in which seven people reportedly were killed is another example in a litany of repressive acts.

"Private citizens and representatives of nongovernmental organizations have an essential contribution to make in furthering the Helsinki process - their exclusion from it cannot be tolerated."

In the last year, Czechoslovakia has significantly eased some forms of restrictions on movement, and we understand that other legislative reforms are being considered. At the same time, the Czechoslovak Government continues the harassments, detentions, confiscations of property, and interrogations to which so many individuals have been subjected. In the height of irony, the German Democratic Republic has let record numbers of its citizens travel, while continuing to shoot at those who attempt to leave by way of the Berlin Wall. Finally, there is no aspect of current Romanian policy that will not come under scrutiny here: the United States and, undoubtedly other delegations as well, will address the unfolding horrors of the systematization program and the brutal suppression of Romanian citizens, including minorities and religious believers. Romania must also be held accountable for its refusal to be a full member of the Helsinki community. Helsinki agreements are not a collection of toys to be played with on some days and discarded on others.

Finally, we must speak to the question of access for those wishing to travel from their own countries to attend the CDH meetings. We are disappointed to learn that some individuals from the Soviet Union and Bulgaria are not receiving exit visas to attend this meeting. This is in blatant violation of the letter and intent of the Vienna Concluding Document. Both countries will host future CSCE meetings and their actions now raise serious concerns about their qualifications for hosting such meetings. Private citizens and representatives of nongovernmental organizations have an essential contribution to make in furthering the Helsinki process -- their exclusion from it cannot be tolerated.

In this year of the 200*th* anniversary of the French Revolution, it is particularly fitting that we meet here to further the cause of human freedom. We are confident that the French will set high standards for future CSCE meetings by providing maximum opportunities to non-governmental organizations and ordinary citizens to communicate their views to the meeting's representatives and by encouraging frank and constructive discussions at the meeting itself.

Herewith are excerpts from Co-Chairman Hoyer's address to the CDH plenary session on June 19, 1989.

I am pleased to be in Paris during the bicentennial of its Revolution, the philosophy of which -- "liberte, egalite and fraternite" -- is such a powerful and cogent one in the CSCE context.

The U.S. Commission on Security and Cooperation in Europe -- frequently called the Congressional Helsinki Commission -- views the work of this meeting as being of utmost importance. The Commission and the Department of State were both concerned, and still are, that the proliferation of meetings coming out of Vienna would dilute the effectiveness of the CSCE process.

This regular review of our human rights performance, however, is essential in order to maintain our needed focus on improving human rights performance within our states. This review process has been, and must continue to be, the hallmark of Helsinki's success and continued importance.

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(Co-Chairman Hoyer's CDH speech—continued)

During his visit at the opening of this meeting, the Chairman of the Commission, Senator Dennis DeConcini, circulated a joint statement expressing our views of the Paris meeting and what we wanted to see as a result of it. Our three main goals are:

-- One, a thorough review of implementation since Vienna;

-- Two, an effort to improve the operation of the human dimension mechanism set forward in the Vienna Concluding Document; and

-- Three, an example of how openness and access to the meeting by the public can help to promote its goals and objectives.

During the past 3 weeks there has been a thorough and useful discussion of implementation since Vienna and the functioning of the human dimension mechanism. In addition, a large number of nongovernmental organizations and private persons -- from both East and West -- came here, interacted with delegates, made their concerns known, and in doing so gave much substance and support to our efforts.

Ultimately, however, we all must look beyond the confines of our diplomatic endeavors to see if they are having an effect in those states where the goals of Helsinki are more a dream than a reality. In many places, they are having an effect. A few weekends ago, we saw a more genuine election process in Poland. And, a few days ago, Hungary corrected a tremendous wrong done to Imre Nagy and other courageous individuals who were executed for their participation in the 1956 Hungarian Revolution. Their reinternment, with the honor they deserve, was a long time coming. Nevertheless, it is a step fully in keeping with the principles of the Final Act, and movement toward truth is always welcome.

"Our efforts in seeking a reduction in arms should be mirrored by an equal effort to reduce and eliminate human rights abuses."

These are the success stories of Helsinki, but when can we really celebrate the full success of this process? That day will come when we are no longer compelled to use the phrase "at the same time" in giving a full picture of developments and trends in CSCE implementation. This, unfortunately, is not the case today.

At the same time as these positive developments are taking place, we hear harrowing reports of the brutal repression of the Turkish minority in Bulgaria, especially the recent expulsion of tens of thousands.

At the same time, we hear about the barbaric treatment of Doina Cornea and others in Romania who seek to make the human dimension a reality and not just a dream. We hear reports of churches being destroyed, as well as the continued denial of the rights of the Hungarian, German and other minorities. We also hear about Romania's refusal even to accept a basic and simple agreement between each of us to respond to concerns raised via the human dimension mechanism.

At the same time, we hear about the continued imprisonment or harassment of human rights activists in Czechoslovakia, and Czechoslovak authorities have, in fact, taken a step backward by doubling the fines and prison time for engaging in independent, peaceful demonstrations.

At the same time, we hear about continued controls on the activities of individuals in the German Democratic Republic which implementation of the Vienna Concluding Document would have eliminated. And the stark, Berlin Wall still stands -- an ugly stain on the Europe envisaged by the Helsinki Final Act.

At the same time, we hear about many outstanding human contacts cases in the Soviet Union, such as the family reunification cases of Leonid Gershun, Igor Uspensky and Inna Ioffe, Emanuel and Judith Lurie. The 6 month deadline for the resolution of cases such as these is less than a month away.

At the same time, we hear about the suppression of the aspirations of peoples in the Soviet Union, as well as the continued denial of full self-determination to the three Baltic States.

As long as we continue to hear about these violations, we have no choice but to say "at the same time" in our implementation review. The only way to move away from this is to follow what I called in a speech in Vienna last November the "zero option" for human rights. Our efforts in seeking a reduction in arms should be mirrored by an equal effort to reduce and eliminate human rights abuses.

These, Mr. Chairman, are the goals of the Conference on the Human Dimension of the CSCE, and it is on these goals that we must focus our efforts, not on the achievement of new commitments. We must work toward the observance of complete compliance.

We can, however, look to the future and set the stage for what needs to be done to perfect the fulfillment of our promises. In this regard, the United States is introducing a proposal which commits the participating States to respect the right of all people, in full freedom, to determine, when and as they wish, their internal and external political, economic, social and cultural development. In short, they will be allowed to take an active part in the government or their country. This will be done:

--By establishing periodic, genuine and contested elections, which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures;

--By allowing individuals to establish and maintain, without outside interference, their own political program within these parties and organizations;

--By respecting the right of individuals to seek and to be elected to positions of public service, alone or as representatives of political parties or organizations, including equality in access to the media; and

--By permitting observance by governments, institutions or organizations, whether foreign or domestic, or election proceedings.

As an elected member of the U.S. House of Representatives, one of the two chambers of the U. S. Congress, my activities are part of the implementation of this proposal in my own country. I represent and am answerable to the constituents of my district in the State of Maryland. Through elections every 2 years, my name is placed on the ballot along with those of other candidates. If my constituents are not satisfied that I am promoting policies they support, they can vote for another person to represent them. In this way we ensure that we are a government of the people, by the people and for the people.

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Co-Chairman Hoyer responds to a question at a June 19, 1989 press conference held in connection with the congressional delegation he led to the Paris Meeting of the Conference on the Human Dimension (CDH). From left to right are: Representative Ben Cardin; Co-Chairman Steny Hoyer; Ambassador Morris Abram, head of the U. S. delegation to the Paris CDH meeting; and Representative Dennis Eckart.

(Co-Chairman Hoyer's CDH speech—continued)

The principles which serve as the basis for the U.S. proposal are not new, nor are they uniquely American. It began with the ancient Greeks and was developed by the Magna Carta and the Declaration of the Rights of Man. The essence of these principles, however, was precisely expressed by John Locke, who saw that political power emanated from the consent of the governed, and therefore argued that government should be an expression of popular will.

"In short, (in the Soviet Union and Eastern Europe) the will of the people has not served as the basis for authority of government."

The American democratic experience drew from this thought. The Declaration of Independence, for example, states that governments derive their just power "from the consent of the governed, that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundation on such principles, and organizing its power in such form, as to them shall seem most likely to effect their safety and happiness."

On December 10, 1948, the U. N. General Assembly adopted the Universal Declaration of Human Rights. Article 21 of the Universal Declaration states that the will of the people shall be the basis for authority of government.

Now, more than 40 years since the Universal Declaration was adopted, genuine, free and contested elections still have not been held in the Soviet Union and the countries of Eastern Europe. Political parties other than the ruling Communist Party are not permitted or, with the few exceptions, they are forced to forfeit their own, independent programs, becoming political parties in name alone. Parliaments and assemblies became rubber-stamping bodies, representing the will of the people in name but not in reality. Independent organizations, like those of the original Helsinki Monitors in the Soviet Union and the Baltic States or Charter 77 in Czechoslovakia, were not even allowed legally to exist, nor were their members permitted to exercise their right to express their views, let alone engage in a political dialogue with the authorities. In short, the will of the people has not served as the basis for authority of government.

Although this situation remains, the voice of the people is growing louder in these countries. The plethora of independent groups and associations that have arisen in the Soviet Union, the Baltic States, Hungary, and Poland are speaking on a number of political, economic, social, cultural environmental and other issues. To a lesser extent, this has also been taking place in some other East European countries.

In recent months, the political activism of the people in some countries has grown even further. In Poland, for instance, the elections which took place on June 4 were an even more genuine expression of the people's will than was conceived by those who formulated its terms on either side. And, in the Soviet Union, we saw the crowds listen to and cheer Boris Yeltsin and Andrei Sakharov as they ran for seats in the Congress of People's Deputies.

Still, there is much more to do, not only in these countries but in all those countries which deny that the people's will should be the basis of authority. If a State has accepted Article 21 of the Universal Declaration, it should have no argument against this proposal. Certainly those who support democratization should be the leading advocates of this proposal for democracy.

The proposal the United States is introducting, Mr. Chairman, is in many ways complementary to other proposals and suggestions made here, such as those on freedom of expression and assembly. Along with the Swiss proposal on trial observance, election observance would build confidence among us.

In conclusion, Mr. Chairman, I believe that the CSCE process has proven itself to be an important factor in the lessening of tensions among our signatory States and in many of the improvements in human rights performance. Although the leadership of Mikhail Gorbachev has been an undisputed element in the reform movement taking place in the Soviet Union, and indeed Hungary and Poland, it is the Helsinki Final Act, and the process it established, which have been the constant driving forces behind this process.

Sadly, the tragic events in China show us how fragile the road to democracy can be if it is controlled from above. Perhaps the Chinese leaders, in acting to deny the people their yearning for democracy and freedom, believed themselves immune from international accountability. It is to be hoped that no Helsinki signatory State will make such a tragic mistake.

What we in the CSCE process must do is learn from this error and make the road to democracy safer. This can be done by letting control emanate from the people. This control, coupled with full respect by the Government for the rights and freedoms of each individual, will ultimately create the security and cooperation we all seek. It is time for us to realize the zero option.

CSCE DIGEST

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